

JAN 19 2017



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ENFORCEMENT DIVISION
75 Hawthorne St
San Francisco, CA 94105

Certified Mail No. 7016 1370 0000 2235 1114

Dr. Shahram Kharaghani
Program Manager
City of Los Angeles
1149 S. Broadway, 10th Floor
Los Angeles, CA 90015

Re: Request for Information under Clean Water Act Section 308(a) – City of Los Angeles
- Department of Public Works, EPA Docket No. CWA-308-9-17-023

Dear Dr. Kharaghani:

Pursuant to the information gathering authority of Section 308 of the Clean Water Act, 33 U.S.C. § 1318, the U.S. Environmental Protection Agency, Region 9 (EPA) is requesting information regarding the City of Los Angeles's Industrial and Commercial Facilities program as described in the City of Los Angeles's National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004001. As described in more detail in the enclosed attachment, the EPA is seeking information regarding the City of Los Angeles's inspection and enforcement of various commercial and industrial facilities in the southern portion of the City of Los Angeles.

Please submit your response to Daniel Haskell via email at haskell.daniel@epa.gov by March 10, 2017. Alternatively, you can submit your response to:

Daniel Haskell
U.S. EPA, Region 9
Southern California Field Office
Enforcement Division
600 Wilshire Blvd Suite #1460
Los Angeles, CA 90017

All submittals in response to this information request must be accompanied by the following certification signed by a responsible officer in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly

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responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

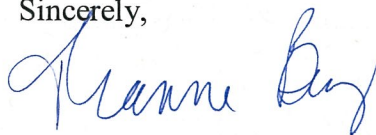
The City of Los Angeles may not withhold any information on the grounds that it is confidential business information. However, the EPA has promulgated, under 40 C.F.R. Part 2, Subpart B, regulations to protect confidential business information it receives. A legally supportable claim of business confidentiality may be asserted in the manner specified by 40 C.F.R. § 2.203(b) for all or part of the information requested by the EPA. The EPA will disclose business information covered by such claim only as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information at the time the EPA receives it, the EPA may make it available to the public without further notice.

Failure to comply with this Request for Information can result in enforcement action for appropriate remedy, including penalties, under Section 309 of the CWA, 33 U.S.C. § 1319. Compliance with this Request for Information does not relieve the City of its obligation to comply with the CWA or other applicable laws and permits.

This Request for Information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is directed to fewer than ten persons and is therefore not a “collection of information” under 44 U.S.C. § 3502(3). It is also an exempt activity under 44 U.S.C. § 3518(c) and 5 C.F.R. § 1320.4.

Thank you for your cooperation and prompt attention to this matter. If you have questions regarding this Request for Information, please contact Daniel Haskell of my staff at 213-244-1816 or haskell.daniel@epa.gov. Legal questions regarding this Request for Information should be directed to Marcela von Vacano of the Office of Regional Counsel at 415-972-3905 or vonvacano.marcela@epa.gov.

Sincerely,



Thanne Berg, Acting Assistant Director
Enforcement Division

Enclosure: Attachment 1

cc (via email): Ivar Ridgeway, Los Angeles Regional Water Quality Control Board
Ejigu Solomon, Los Angeles Regional Water Quality Control Board

Under the authority of Clean Water Act § 308(a), 33 U.S.C. § 1318(a), EPA requires the City of Los Angeles to provide to the EPA the information described below. This Request for Information in no way alters or relieves the City of other legal responsibilities or restrictions.

DEFINITIONS

The following terms shall have the following definitions for this Request for Information:

1. "Document" means all written, recorded, computer generated, or visually or aurally reproduced materials of any kind in any medium in your possession, custody or control or known by you to exist, including all originals, drafts and non-identical copies. The term includes, without limitation, all reports, studies, surveys, plans, transcripts, permits, licenses, deeds, maps, drawings, schematics, specifications, instructions, calculations, monitoring data, rental records, contracts, agreements, bid documents, purchase orders, work orders, invoices, payment records, spreadsheets, communication records, correspondence, notes, memoranda, photographs, and videos.
2. "City" means the City of Los Angeles.
3. "LA MS4 Permit" or "Permit" means municipal separate storm sewer system (MS4) NPDES Permit No. CAS004001, Order No. R4-2012-0175 adopted on November 8, 2012, as amended on June 16, 2015 by Order No. WQ 2015-0075.

REQUEST FOR INFORMATION

1. Provide a copy of the City's Industrial and Commercial database as an excel spreadsheet file. The file should list all regulated industrial/commercial sources within the following geographic area:
 - a. The geographic area bounded by the following north-south corridors: Western Ave and S Figueroa St; and the following east-west corridors: 120th St and Torrance Blvd.
2. Please provide a list of all industrial and/or commercial facilities inspected by the City as an excel spreadsheet file since the effective date of the permit in the geographic area provided in Question #1 and information regarding:
 - (a) the date of each inspection;
 - (b) follow up actions, if necessary, pursuant to the Progressive Enforcement Policy procedures identified in Permit Part VI.D.2 of the LA MS4 Permit;
 - (c) No Exposure Verification, if applicable.

Attachment 1

City of Los Angeles, Request for Information

EPA Docket No. CWA 308-9-17-023

3. Please provide copies of all inspection documents (forms, field notes, photographs, final inspection reports) for inspections on the list provided in response to Request # 2 above.
4. Please provide the City's Progressive Enforcement Policy.